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20 Attorneys for Plaintiff United States Small Business
 21 Administration in its capacity as Receiver for Rocket
 22 Ventures II SBIC, L.P.

23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA
 25 SAN FRANCISCO DIVISION

26 United States Small Business Administration in its
 27 capacity as Receiver for Rocket Ventures II SBIC, L.P.,

Case No.: 3:10-cv-04425 JSW

28 Plaintiff,

vs.

Rocket Ventures II, L.P., a California limited
 partnership, et al.

Defendants.

**NOTICE OF WITHDRAWAL
 OF MOTION FOR ENTRY
 OF AN ORDER APPROVING
 AND CONFIRMING THE
 FIFTH RECEIVER'S
 REPORT AND
 MEMORANDUM IN
 SUPPORT THEREOF**

1 **TO: THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD**

2 **PLEASE TAKE NOTICE** that plaintiff United States Small Business Administration in
 3 its capacity as the duly appointed and acting Receiver for GKM SBIC, L.P. (“Plaintiff” or
 4 “Receiver”) hereby withdraws its “*Motion for Entry of an Order Approving and Confirming the*
 5 *Fifth Receiver’s Report and Memorandum In Support Thereof*,” erroneously filed in Case No.
 6 3:10-cv-04425 JSW on December 2, 2013, at Docket No. 170, as it has been correctly re-filed in
 7 Case No. 3:08-cv-02240-JSW on December 3, 2013, at Docket No. 73.

8
 9 Dated: December 3, 2013

SCHNADER HARRISON SEGAL & LEWIS LLP

10 By: /s/ Melissa S. Lor

11 T. Scott Tate
 12 Melissa S. Lor
 13 Attorneys for Plaintiff, the United States
 14 Small Business Administration in its
 capacity as Receiver for Rocket Ventures
 II SBIC, L.P.

15 Dated: December 3, 2013

U.S. SMALL BUSINESS ADMINISTRATION

16 By: /s/ Arlene M. Embrey

17 Arlene M. Embrey
 18 Office of General Counsel
 19 Attorneys for Plaintiff,
 20 United States Small Business
 21 Administration in its capacity as Receiver
 22 for Rocket Ventures II SBIC, L.P.
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CERTIFICATE OF SERVICE

I, Wendy E. Reinig, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am employed in the City and County of San Francisco, State of California, in the office of a member of the bar of this court, at whose direction the service was made. I am a resident of the United States, over the age of eighteen (18) years, and not a party to or interested in the within-entitled cause. My business address is SCHNADER HARRISON SEGAL & LEWIS LLP, One Montgomery Street, Suite 2200, San Francisco, California 94104-5501.

I caused to be served the following document(s):

- NOTICE OF WITHDRAWAL OF MOTION FOR ENTRY OF AN ORDER APPROVING AND CONFIRMING THE FIFTH RECEIVER'S REPORT AND MEMORANDUM IN SUPPORT THEREOF

I caused the above document to be served on each person on the Service List attached by the following means:

By United States mail. I enclosed a true and correct copy of said document in a sealed envelope or package addressed to the persons listed on the attached Service List and placed it for collection and mailing with the United States Postal Service on December 3, 2013, following our ordinary business practice, to wit, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. SEE SERVICE LIST ATTACHED. (*Indicated on the attached address list by an [M] next to the address.*)

- ☒ By ECF: I caused a true and correct copy of the foregoing documents to be served on the parties listed below through the court's ECF system. (*Indicated on the attached address list by an [E] next to the address.*)

I am readily familiar with my firm's practice for collection and processing of correspondence for delivery in the manner indicated above, to wit, that correspondence will be deposited for collection in the above-described manner this same day in the ordinary course of business.

Executed on December 3, 2013, at San Francisco, California.

/s/ Wendy E. Reinig

Wendy E. Reinig

SERVICE LIST

- | | |
|---|--|
| <p>[E] Rocket Ventures II, L.P., a California limited partnership c/o Designated Agent Rocket Ventures II, L.P. and/or Rocket Management II, LLC c/o Gordon C. Atkinson 101 California Street 5th Floor San Francisco, CA 94111-5800</p> | <p>[E] Rocket Ventures II CEO Fund, L.P., a California limited partnership c/o Designated Agent Rocket Ventures II, L.P. and/or Rocket Management II, LLC c/o Gordon C. Atkinson 101 California Street 5th Floor San Francisco, CA 94111-5800</p> |
|---|--|

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